

In the United States Court of Federal Claims

No. 23-970
Filed: August 22, 2023

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| _____ |) |
| JAMIE BURKE, |) |
| |) |
| <i>Plaintiff,</i> |) |
| |) |
| v. |) |
| |) |
| THE UNITED STATES, |) |
| |) |
| <i>Defendant.</i> |) |
| _____ |) |

ORDER

When Plaintiff Jamie Burke, appearing pro se, filed her complaint, she did not pay the requisite fees — a \$350.00 filing fee plus a \$52.00 administrative fee — or request authorization to proceed in forma pauperis (IFP). *See* ECF No. 5. This Court, therefore, ordered Plaintiff to either pay the \$402.00 in required fees or submit an IFP application by July 27, 2023. ECF No. 6.

Plaintiff failed to pay the filing fees or submit a complete IFP application by the deadline. Rule 41 states that “[i]f the plaintiff fails to prosecute or to comply with . . . a court order, the court may dismiss on its own motion . . . the action.” RCFC 41(b). Although the Court informed Plaintiff her complaint would be dismissed for failure to prosecute if she did not pay the requisite filing fees or submit a complete IFP application by the deadline, she did not comply with this Court’s Order. *See Claude E. Atkins Enters., Inc. v. United States*, 899 F.2d 1180, 1184 (Fed. Cir. 1990) (affirming dismissal under Rule 41(b) after plaintiff was “specifically warned” its complaint may be dismissed for failure to prosecute). Accordingly, as Plaintiff did not comply with this Court’s June 27, 2023 Order, ECF No. 6, Plaintiff’s action is DISMISSED pursuant to Rule 41(b) for failure to prosecute. The Clerk’s Office is directed to enter judgment accordingly.

IT IS SO ORDERED.

s/ Edward H. Meyers
Edward H. Meyers
Judge